



**University of
Nottingham**

UK | CHINA | MALAYSIA

European Sectoral Social Partners in education promoting quality of academic teaching and management

Sponsor: European Federation of Education Employers

In collaboration with: European Trade Union Committee for Education

Professor Howard Stevenson
Dr Sharon Clancy
Maria Antonietta Vega Castillo

School of Education
University of Nottingham
April 2022

	Page
1. Table of Contents	2
2. Executive Summary	3
3. Introduction	8
4. Higher education: understanding the context	10
5. Looking to the future: the European policy dimension	15
6. Higher education: central to Europe's economic and social agendas	17
7. Social dialogue in higher education	19
8. Project findings	22
9. Effective social dialogue: a diagnostic tool	34
10. Conclusions and Recommendations	35
11. References	37
12. Appendix 1: The Rome Ministerial Communiqué 'Annex III agenda'	39
13. Appendix 2: Survey respondents	40
14. Appendix 3: Assessing social dialogue capacity: using the diagnostic tool	41

Executive Summary

This report is part of the project ‘*European Sectoral Social Partners in education: promoting quality of academic teaching and management*’ that is sponsored by the European Federation of Education Employers (EFEE) and conducted in conjunction with the European Trade Union Committee for Education (ETUCE).

The immediate context of the report is provided by the Rome Ministerial Communiqué 2020 (EHEA Rome 2020a), which represents the latest stage in the project set in motion by the Bologna Process 1999. One of the key priority areas identified in the Rome Communiqué is a commitment to enhance the quality of teaching and learning across the higher education sector.

The Communiqué acknowledges the importance of mobilising a collective effort to create the conditions in which change is possible and through which the Communiqué’s aims can be secured.

This report focuses on the specific contribution that social dialogue can make to mobilising this collective effort. Social dialogue is uniquely placed to engage social partners (higher education employers and education trade unions) in a process capable of navigating an increasingly challenging higher education environment.

This report provides an overview of a number of contextual issues (the notion of ‘quality’ in higher education teaching, the European higher education policy agenda and social dialogue arrangements) before presenting research findings from the project and recommendations. The data draws on a survey distributed to all EFEE and ETUCE member organisations.

Conceptualising ‘quality teaching’ in higher education

The focus of this project is the enhancement of ‘quality’ teaching in higher education, and a concern with how the conditions can be created to most effectively support quality. Issues of ‘quality’ in a teaching context are notoriously difficult to formulate as conceptions of quality cannot be disconnected from wider questions of purpose – literally, what is education for? More specifically, what is higher education for?

Questions of ‘quality’ in any detailed sense therefore are best resolved at a local level, where contextually bound debates about purpose can be fully addressed. However, in a report focused on higher education it is possible to locate the debate about quality education in a wider debate about the purposes of higher education in more general terms, and specifically what is *distinctive* about teaching in a higher education institution. Approached from this perspective any discussion about quality in higher education teaching starts from an understanding that pedagogy in higher education is fundamentally ‘research-informed’.

Institutions of higher education have roles as both producers of new knowledge (through conducting research) and as disseminators of knowledge (through teaching), but what is *distinctive* about higher education pedagogy is the way in which these two activities are combined in an iterative relationship. It is the case that teaching and research are two discrete activities that can co-exist separately, but when considering quality teaching in higher education, pedagogy and research are integrated as each informs the other.

Conceptualised in this way, research-informed teaching assumes three forms:

- Research-led teaching: when teaching is underpinned by pedagogical research.
- Research-based teaching: when the teacher’s work communicates their own research.

- Teaching-led research: when knowledge production emerges from the teaching process.

Identifying the European higher education policy context

Higher education institutions are located in systems that face considerable trials and these combine to make the wider higher education environment both complex and challenging. The demand for higher education continues to outstrip supply, and this brings with it rising expectations.

In a European context education provision is considered a high priority because of its ability to integrate both the economic and social goals of the European project. This has been reflected in the European Union's commitment to establish a European Education Area between 2021 and 2030, and specifically a European Higher Education Area (EHEA) focused on increasing the mobility of staff and students and facilitating increased employability across Europe. The EHEA agenda has developed from the Bologna Process first established in 1999 and now progressed through a series of Ministerial meetings and resulting Communiqués. The most recent Ministerial meeting was hosted (virtually) in Rome in 2020 and reaffirmed commitments to academic freedom, the social goals of higher education and the need to enhance quality teaching in higher education institutions. The latter focus was articulated in Annex III of the Rome Communiqué which identified three priorities:

- i. Developing student centred learning
- ii. Continuously enhancing teaching
- iii. Strengthening systemic and institutional capacity to further enhance learning and teaching

In this report the teaching and learning issues identified in the Rome Communiqué are identified as the 'Annex III agenda'. They reflect a bold and ambitious prospectus for reform. However, it is important to recognise that plans for change are layered on a series of crises that have confronted higher education systems in Europe and beyond for more than a decade. These include:

- The economic crisis: the legacy of 2008/9 continues to present many higher education systems with significant funding problems
- The socio-political crisis: increased social fracturing in which, amongst many issues, populist movements increasingly confront notions of 'truth' and science.
- The public health crisis: an unprecedented pandemic that had dramatic immediate impacts on higher education institutions and which will have myriad long term consequences for the sector.

All of these developments shape the terrain on which higher education systems function. They also make change more difficult. The Rome Communiqué recognised the need to mobilise a collective effort to bring about the changes it seeks, involving stakeholders across the system, but in particular the need to engage social partners through social dialogue.

Social dialogue in European higher education

Within higher education systems and institutions matters of governance and decision-making are notoriously complex. In most countries public universities are dominant (although the size of the private sector can vary significantly) however, universities are often not 'typical' public sector institutions because of historical commitments to institutional autonomy from the State. In reality higher education institutions can be considered a complex mix of managerial authority, collegial governance, professional autonomy and social dialogue.

It is often argued that collegial governance is a distinctive feature of higher education institutions, but it is important to recognise that the balance between these elements of decision-making is not stable and constantly in flux. For example, in recent years it is widely recognised that collegial governance has diminished as managerial authority has been enhanced.

Social dialogue within higher education institutions is an equally complex part of the picture, with considerable variation between systems (and sometimes between institutions within systems). These differences have the potential to increase if the social dialogue agenda is broadened to include the teaching and learning issues identified in Annex III of the Rome Communiqué. In order to capture the complexity this report developed a framework for analysing social dialogue in higher education across four elements:

- Social dialogue **agenda**: identifies the issues that are the subject of discussions within social dialogue arrangements.
- Social dialogue **levels**: identifies the levels at which relevant decisions are being made; for example national or institutional, but also sometimes different levels within institutions.
- Social dialogue **forms**: recognises that social dialogue assumes many forms: including negotiation (collective bargaining), consultation, information sharing and joint working on projects and initiatives.
- Social dialogue **frequency**: acknowledges that it is necessary to get some sense of the regularity, or otherwise, with which issues are addressed through social dialogue.

Key findings

The data from the survey attests to the complexity of the higher education industrial relations environment. For example, most social partners represent education sectors beyond higher education and most represent both public and private sectors. A majority of survey respondents indicated they were one of two or more organisations representing employers or employees and although most social partners report participation in tri-partite social dialogue involving government, employers and trade unions in a significant number of cases employers have no control over pay, which is determined by government.

Satisfaction levels with social dialogue are clearly uneven. From a relatively small sample it was evident that there is often broad satisfaction with social dialogue arrangements and that these can work well. However, in a number of instances there is considerable frustration with social dialogue arrangements. This frustration increases significantly in relation to negotiation (collective bargaining) where the stakes are often highest and where power relations between parties are intended to be more equal (negotiation aims for an agreement, whereas other forms of social dialogue have no similar ambition).

Analysis of social dialogue experiences focused on issues identified in the 'Annex III agenda' and were grouped according to five headings:

Terms and conditions of employment
Curriculum and pedagogy
Professional development and professional standards
Higher education policy and funding
Academic freedom and intellectual property

Survey responses indicated that ‘terms and conditions’ issues were most likely to be discussed through social dialogue, as would be expected. However, results were not always as might be expected. Pay is commonly discussed, and most likely to be discussed at the national level. However, institutional level bargaining is also significant for pay issues while a number of social partners indicated they had no involvement in social dialogue relating to pay. Another priority issue in this area related to the use of precarious contracts, which were typically discussed at the national level and discussed frequently. Issues relating to equalities were discussed less frequently, more typically at the institutional level and more likely through consultation than negotiation.

Issues in the Annex III agenda that relate very directly to the curriculum and pedagogy were much less likely to be the focus of social dialogue. However, where these issues were discussed the social dialogue was much more likely to take place at institutional level as this is the level where these decisions are being made. Where pedagogical issues have significant implications for workload, or contractual consequences, then these were more likely to become issues for social dialogue. These patterns were also reflected in relation to issues of professional development and professional standards. These issues were the focus of national level negotiations, but were more frequently the focus of institution level social dialogue. Although engagement with ‘professional standards’ issues was more uneven (as this is not a concept recognised in a formal sense in many locations), social dialogue relating to professional development was more common, and this was likely to take place nationally and locally.

Within the project it was widely recognised that supporting quality teaching required pedagogical activity to be given proper recognition for career purposes, and that the equilibrium between teaching and research needed to reflect the time commitment and value of both. This in turn was likely to have professional development implications. On these issues the so-called ‘industrial’ and ‘professional’ aspects of academic labour potentially coincide and these may be fruitful areas to focus social dialogue agendas when addressing teaching and learning issues.

With regard to higher education policy reform social partners are consulted in a clear majority of instances. At an institutional level the most common form of social dialogue was also consultation. A small number of respondents indicated they have no involvement in social dialogue relating to policy reform.

A similar picture emerges in relation to social dialogue about higher education funding. Most respondents indicated that at the national level social dialogue about funding took the form of information sharing. Where social dialogue takes place in relation to funding then this is more likely to occur at the national level than at institution level. Several respondents indicated that social dialogue about funding is frequent, but more respondents indicated that they are not involved in social dialogue about higher education funding at all. Throughout the project concerns were raised about funding issues, often from employers’ organisations and trade unions. This is clearly an area of frustration and these tensions are likely to intensify if current inflationary pressures erode the real value of funding levels and this has the potential to impact the social dialogue environment.

Academic freedom, and professional autonomy, can be seen as key features of the distinctive nature of higher education teaching, given the importance of freedom of thought within democratic societies. These issues are identified as a matter of negotiation among a relatively small minority of survey respondents, although social partners are involved on a consultative basis more commonly. These issues are not discussed frequently, but as might be expected, on a more occasional, ‘as required’, basis. Similar issues applied to the discussion of Open Educational Resources with these issues emerging as a higher priority following the shift to remote working during the pandemic.

Recommendations

1. Extend the bargaining agenda and identify the issues around which progress can be made.

Developing social dialogue to enhance quality teaching and learning requires social partners on both sides to be willing to extend the bargaining agenda and promote social dialogue on a range of issues that have not always been seen as traditional (or legitimate) social dialogue concerns. The 'Annex III agenda' requires social partners to extend the bargaining agenda into new territory.

2. Develop robust social dialogue structures necessary for engaging with the extended bargaining agenda. This requires ensuring social dialogue takes place at all the levels where decisions on the extended bargaining agenda are being made.

The research suggests that social dialogue is often weak and limited in form. Extending the bargaining agenda requires social dialogue structures capable of managing a wider range of social dialogue issues. Crucially, this requires the development of social dialogue at all organisational levels where decisions relating to teaching and learning are being made. The research in this report highlights that key decisions relating to teaching and learning are made at institutional level and social dialogue arrangements must reflect that. However, within institutions important decisions relating to teaching and learning are made at many levels and social dialogue needs to be built in to all appropriate levels.

3. Identify a strategy for extending the bargaining agenda based on a robust analysis of the current state of social dialogue, focusing on issues and activities that can offer progress.

Extending the bargaining agenda in the ways suggested by this project can only be developed by taking full account of context, and a transparent assessment of the current state of social dialogue in each setting. Extending the bargaining agenda is challenging in any situation, but most unlikely if current social dialogue arrangements are fragile and poorly developed. Progress must be based on an open assessment of the current position, and where there are difficulties, strategies need to be developed accordingly. In such cases work must focus on issues where progress is possible, relying on forms of social dialogue that can help build trust. For this purpose, the diagnostic tool presented in this report (see Appendix 3) may be helpful.

4. Develop organisational capacity

Effective social dialogue requires commitments from all sides, as well as resources and structures, and all these elements need to be in place for social dialogue to function effectively and make a positive contribution to outcomes. This requires investment from all parties, at all levels, but is especially needed at the institutional level where these issues are discussed.

5. Build networks of support and identify alliances

Change on a significant scale requires a collective effort and this requires alliances. These alliances can be most powerful when they involve social partners finding common ground and identifying ways to work together. On many issues, such alliances may not be possible. Social dialogue is, after all, a mechanism for seeking to resolve what are tensions based on competing interests. However, on many issues it may be possible to work with others (within and outside social dialogue relationships) and such alliances can help create momentum for change.

Introduction

This report is part of the project ‘European Sectoral Social Partners in education: promoting quality of academic teaching and management’ that is sponsored by the European Federation of Education Employers (EFEE) and conducted in conjunction with the European Trade Union Committee for Education (ETUCE).

The immediate context of the report is provided by the Rome Ministerial Communiqué 2020 (EHEA Rome 2020a), which represents the latest stage in the project set in motion by the Bologna Process 1999. The Bologna process, continuously developed since by the Bologna Follow Up Group, has set out ambitious plans for a European Higher Education Area, within the wider context of a European Education Area and which is now seen as pivotal to rebuilding in Europe beyond the Covid pandemic. Within the Rome Communiqué practical goals were presented in the form of 3 Annexes, concerned with, respectively, academic freedom, the social dimension of higher education and recommendations to national authorities for the enhancement of quality learning and teaching in higher education. With respect to this report the most significant element of the Rome Communiqué is Annex III, focused on developing quality teaching and learning (EHEA Rome 2020b).

Commitments to enhance quality teaching and learning in higher education come at a time when the higher education sector across Europe faces many challenges. The Communiqué itself can be seen as evidence of increasing expectations of the higher education sector, while student demand continues to rise, apparently inexorably. However, alongside rising expectations and demand higher education institutions continue to grapple with limited resources, in some cases still not yet recovered from the economic crisis of 2008/9.

These tensions, that have been exacerbated by the dramatic impact of the Covid pandemic, highlight the need for both employers and employees to find ways to work together to ensure problems are confronted, and solutions developed, that support high quality higher education provision. In this report we explore how social partners, organisations of employers and employees, engage in social dialogue to develop effective policy and practice in relation to pedagogy in higher education.

The report opens with a wider discussion about the form and purpose of higher education and what is sometimes referred to as ‘the idea of a university’ (Newman, 1996). We understand that these are issues that will be familiar to many, but perhaps by no means all, of those who may read this report. However, this short summary is provided here as the foundation for the discussions that follow.

Discussions about ‘quality teaching’ (the concern of the Rome Communiqué Annex III, and this report) cannot be developed without first considering questions of purpose. In particular it is important to make explicit what is often considered as the distinctive feature of higher education pedagogy, namely the nature of the relationship between teaching and research (Hughes, 2005). This is not simply about asserting that higher education institutions engage in both teaching and research, but that the two processes are integrated in an iterative, and complex, relationship.

The report then follows with a presentation of the findings from a survey distributed to all EFEE and ETUCE member organisations. The survey sought to understand current social dialogue arrangements in the higher education sector, with a particular focus on what might be considered the ‘*Annex III agenda*’ (set out in Appendix 1 of this report). This is significant because a number of the issues identified in Annex III are not ones that might have been considered as the focus of collective bargaining. From the data presented from the survey we present a simple analytical tool for considering social partners’ preparedness for engaging with social dialogue on Annex III issues.

The report is completed by the presentation of a number of project conclusions, and associated recommendations.

Higher education: understanding the context

In this short section we discuss the concepts, and history, of higher education and the university in Europe. Discussion of these issues is necessarily brief, but still essential for considering the substantive focus of this report, namely the role of social dialogue in higher education and the contribution it can make to enhancing the quality of teaching and management. This is because it is not possible to discuss form and process in higher education without also acknowledging the centrality of purpose.

The concept of the university is now more than a thousand years old, with the *Università di Bologna*, established in 1088 and considered the oldest university in continuous operation in the world. Focused mostly on the education of the professional classes in the middle ages, the early mediaeval universities were predominantly places of learning and training, highlighting the historic role of universities as educational institutions, that is as places of *teaching*. However, by the eighteenth century this largely religious type of institution was giving way to the development of the modern university which was non-denominational, and concerned with the natural sciences as well as with the intellectual scrutiny of theology and history (Graham, 2002).

The issues raised by the transition from the mediaeval to the so-called modern university pose in a very fundamental way questions about the nature and purpose of the university that continue to be relevant today. The development of the modern university highlighted the institution as a site of knowledge production, rather than simply as a place of education and training, and hence the development of the university in this form began to pose questions about the nature of the university as a place of *both* research, *and* teaching. More specifically it raised questions about the nature of the *relationship* between the two activities, rather than simply the balance *between* teaching and research.

Much of this work was pioneered in Germany, such as at the University of Berlin, but it also developed in quite different forms in different locations and it is important to recognise this diversity as it too continues to inform contemporary contexts. For example, in France during the Napoleonic era universities were considered as departments of state, and academic staff had civil servant status. Historically these institutions were expected to play an important role in strengthening notions of national identity. A very different approach was associated with the work of the Prussian education minister Karl Wilhelm von Humboldt whose concept of the university envisaged a community of scholars, engaged in research for its own sake, and without any requirement to demonstrate value or utility.

It is important to understand that the ‘Humboldtian ideal’ was never widely realised in practice, and as an innovation in higher education it only ever had minority status. However, its continuing influence lies precisely in its status as an ‘ideal’, in which Humboldtian values and principles have had, and continue to have, a powerful hold on the idea of the modern European university, rooted in notions of collegial governance and institutional autonomy, academic freedom and the integration of research and teaching in an iterative relationship. Specifically, the influence of Humboldt has contributed to shaping the ‘distinctiveness’ of the university as a type of institution distinct from commercial organisations, other public sector organisations and, indeed, other public education institutions. This distinctiveness can be considered in relation to both of the core concerns of this report: management and teaching.

University management: the importance of collegial governance

In many instances the claim to distinctiveness of management in higher education institutions is based on a commitment to a form of collegial governance in which key decisions are taken collectively by the academic staff involved in the action. At the most senior levels of the organisation decision-making may be made by a sub-set of academic staff (constituted as a Board or Senate) and elected by their

peers. Where it is necessary for the group to have a leader then this role would be considered as *primus inter pares* ('first among equals'), with the position also being elected, and often occupied on a fixed term basis. This form of collective decision taking reflected the Humboldtian notion of a community of scholars, in which those engaged in the administrative functions of the university would act to support and implement the decisions of the academic community.

The concept of collegial governance, and the linked concept of institutional self-governance, are closely linked to notions of academic freedom and institutional autonomy in which universities, as sites of knowledge creation and free speech, are able to act independently from state intervention and what may be considered political interference. These are important principles, but in reality relations between higher education institutions and the state are highly complex, not least because higher education institutions are typically highly dependent on state funding.

University teaching: identifying the research and pedagogy nexus

The claim to the distinctiveness of teaching in the university is located in the relationship between pedagogy and research, in which each is informed by the other. This is about more than universities having a 'balance' between research and teaching, because these activities could be allocated equally but it does not follow that they exist in an iterative relationship with each other. What is distinctive about a higher education pedagogy is that learning involves active inquiry, and not simply passive transmission (captured in part by the linguistic distinction between school *pupil* and university *student*). At its most developed students themselves are engaged directly in knowledge construction, not only as postgraduate and research students, but at the undergraduate level too (Neary and Winn, 2009).

The complex nature of the relationship between teaching and research in higher education has given rise to the expression 'research-informed teaching', which can be considered as an umbrella term capturing multiple facets of the teaching-research nexus. Of these myriad relationships it is important to highlight the following:

Research-led teaching: whereby both the curriculum and teaching practices are underpinned by pedagogical research. In its more limited form this involves drawing on the research of others, but in a more developed form this involves a teacher engaging in their own pedagogic research through an on-going process of reflecting on, researching and revising their own pedagogical practice. Such an approach to teaching, strongly associated with the scholarship of teaching and learning (Shulman, 2004), also emphasises the importance of pedagogic content knowledge (PCK) whereby teachers develop the skills associated with teaching a particular discipline.

Research-based teaching: whereby the work of the teacher involves the communication of research, but most obviously scholarship that has been undertaken by the teacher. A key element of the 'distinctiveness' of higher education is that those who teach are also involved in knowledge production, and these activities align when teachers are engaged in communicating the outcomes of the knowledge production that they themselves participated in.

Teaching-led research: whereby teaching, and more specifically learning, are based on the research process itself. That is, students are engaged directly in knowledge production as it is through students' engagement in active inquiry that learning takes place (Healey, 2005). Such an approach may be considered to align most closely with the Humboldtian model in which teaching and research become genuinely integrated.

Contemporary higher education in an age of crises

The model of higher education presented above can be considered an important representation of ‘the idea of the university’ but it provides no more than a starting point for seeking to analyse and understand the diversity and the complexity of higher education systems not only within Europe, but across the world, recognising the university’s function within a global system in which staff and students are increasingly mobile and in which performance is assessed at the global level (Marginson and van der Wende, 2007). It is also important to recognise that higher education systems can differ *within* countries as well as between countries, with many national systems having sub-systems of different types of institutions. All of these issues have implications for the issues raised in this report where, for example, analysis of the teaching-research nexus can look very different in different types of higher education institutions.

One common feature of higher education systems across the globe has been the expansion of the sector, conceptualised by Martin Trow (2007) as a transition from ‘elite’ to ‘mass’ and towards ‘universal’ higher education provision. The first phase focused on the reproduction of a small ruling class, the second with the widescale development of human capital considered necessary for changing economies and the universal era is concerned with ‘the adaptation of the “whole population” to rapid and social change’ (p. 243). In Trow’s terms these three stages corresponded to student populations of <15% (elite), 16-50% (mass) and 50+% (universal). While the specific trajectories of expansion differ between countries, the general experience of expansion has been common, and in itself, during the post-war period, has presented challenges. However, what is now very clear is that the scale of these challenges has multiplied in the years of the twenty-first century as higher education systems face an age of crises.

Higher education and economic crisis

It is widely recognised that public investment in education suffered badly after the economic crisis of 2008/9 and that higher education suffered disproportionately badly (Stevenson, 2017). As a consequence, higher education sectors in many countries have been facing very considerable financial challenges. There have continued to be pressured to expand, but this has coincided with financial retrenchment often requiring higher education institutions to respond to increased demand and higher expectations with reduced resources.

Higher education institutions have come under considerable pressure to increase efficiency, and in labour intensive industries this inevitably impacts on working conditions. One of the most common responses has been to seek increased labour flexibility, frequently through the increased use of fixed term (i.e. precarious) contracts. At various points in this project, through the survey and in workshops, the extent of precarious working was recognised as a problem that is both widespread and undermining of quality teaching. Another issue highlighted by some trade union representatives in project workshops was the increased use of contracts that focus only on teaching or only on research. In these cases the logic is to be able to respond to work demand with specialist labour (for example an increase in student numbers involves recruiting additional teaching staff) but a consequence of such contracts is that they bifurcate the teaching and research nexus, and as such risk diminishing what is distinctive about quality teaching in a higher education context.

Funding pressures have also contributed to the need for higher education institutions to be ‘lean’ and ‘agile’, with a premium placed on the ability to make business decisions at speed. In these contexts both social dialogue and collegial governance arrangements can be squeezed if both are seen as slow and bureaucratic. Graham highlights the ‘structural limitations of government by committee and its inability to respond speedily and flexibly to rapidly changed circumstances and moments of crisis’ (2002, p. 107). In more recent years these developments may have accelerated, although as work in

the UK by Rosemary Deem (1998) illustrates, these trends are by no means new or attributable only to the post-2008/9 era.

Higher education and the socio-political crisis

It is widely acknowledged that education institutions play a key role in helping form cohesive communities and societies (acknowledged in Annex II of the Rome Communiqué, which focuses on the social dimension of higher education and commits to promoting diversity, equity and inclusion). This is more complex than securing consensus, or even consent, but involves supporting learners to become critical thinker and active citizens able to participate and contribute to the construction of a robust democracy.

What has become increasingly apparent in recent years is that this task has become more difficult. Many communities have become increasingly fragmented and populist movements based on nationalism and xenophobia have become prominent in many places. 'Fake news', the influence of conspiracy theories and the rise of authoritarian leaders have all become commonplace as traditional orthodoxies and notions of truth have been challenged.

Unsurprisingly universities have often found themselves at the centre of controversies related to the above issues. Universities have been key to researching the vaccines that are defeating Covid, and designing the public health policies that reinforce the impact of vaccination, but university workers have sometimes found themselves vilified by those encouraged to reject science as an elite or 'Establishment' hoax. Indeed, Universities as places where academic freedom, and freedom of thought, are foundational preconditions for rigorous debate can sometimes find themselves in the front line of these controversies, and at its worst, university academics have been intimidated and victimised for expressing their views.

In such a context it is not possible to discuss quality teaching without also considering what is being taught, how it is being taught and, crucially, who gets to decide what is taught.

Higher education and the public health crisis

Economic and socio-political crises have been further disrupted by a global pandemic that the world did not anticipate, and was unprepared for. As in all areas of education, the impact on higher education was dramatic as across Europe higher education institutions locked down and almost immediately transferred teaching to remote formats.

It is hard to imagine a more dramatic moment, as the core activity of an education institution, teaching, needed to be reconfigured in a radically different way, oftentimes without adequate equipment or training, given the speed of the move.

This inevitably placed an immediate pressure on higher education systems as staff responded to working in new ways, adapting to new technologies while often managing the challenges of 'working from home' (with its differential impact on women staff and those with caring roles). In this report some of those challenges are identified as employers and trade unions sought to respond to systems that were rapidly placed under a massive strain.

Two years later, public infrastructures are seeking to 'build back' from the Covid 19 shock, and it is already clear that the impact of the pandemic will be felt for many years to come. What it also clear is that many aspects of changed working arrangements will become common practice, especially where new uses of technology have identified new opportunities and potential benefits. However, such changes will be complex and oftentimes contested, with costs and benefits perceived differently by

different interests. Navigating and negotiating the long-term disruptions of the pandemic may be as difficult as dealing with its immediate impacts, and especially within higher education where the issues are likely to be substantial and controversial.

Looking to the future: the European policy dimension

In recent years the link between investment in tertiary education and the economic and social prosperity of nation states has become increasingly well understood. This has coincided with individuals' growing recognition of the value of higher education, and in many countries there has been a significant increase in the demand for university level education. Within Europe these developments have been facilitated by the Bologna Process (1999) and the efforts to increase mobility, structural integration and collaboration across the European higher education sector.

The Bologna process is based on a series of Ministerial meetings and resulting Communiqués. The outcomes do not have the status of a treaty or convention and the participation of signatory states is entirely voluntary. At the current time there are 49 countries which are eligible signatories to the Bologna Accord, although in April 2022 both the Russian Federation and Belarus were suspended from membership.

A key aim of the Bologna Process has been to enhance labour mobility, principally by seeking harmonisation across tertiary sector qualifications frameworks, and also securing economies of scale through increased system alignment across countries. Much of this is to be achieved by the establishment of the European Higher Education Area (EHEA) which encourages participating countries to:

. . . adopt reforms on higher education on the basis of common key values—such as freedom of expression, autonomy for institutions, independent student unions, academic freedom, free movement of students and staff. Through this process, countries, institutions and stakeholders of the European area continuously adapt their higher education systems making them more compatible and strengthening their quality assurance mechanisms. For all these countries, the main goal is to **increase staff and students' mobility and to facilitate employability**. [emphasis in original] (Bologna Process, online)

Higher education, and the development of the EHEA, was identified as one of the five strategic priority areas within the European Union's commitment to develop a wider European Education Area between 2021 and 2030, 'putting education and training at the heart of the European political agenda for the first time' (Council of the European Union, 2021, p. 3). In this instance the focus of the EHEA was to encourage higher education institutions to 'find new forms of deeper cooperation' (ibid, p.15) by forming alliances across countries, sharing knowledge and resources and creating increased opportunities for student and staff mobility.

Within the EU's commitment to a European Education Area the role of the EHEA is already well established, building on the history of activity in this area, most notably through the work of the Bologna Follow Up Group which is the executive structure that supports implementation activity in between Ministerial Conferences. Ministerial Conferences typically take place every 2-3 years and the most recent conference was hosted (virtually) in Rome in 2020.

The Rome Communiqué reaffirmed the EU's commitment to students', staff and graduates' ability to move freely in order to study, teach and conduct research, underpinned by a commitment to 'fully respect the fundamental values of higher education and democracy and the rule of law.' (EHEA Rome, 2020a, p. 4). The Communiqué further commits to develop a European Higher Education Area by 2030, built on the principles of inclusion (providing opportunities for all learners), innovation (introducing 'new and better aligned learning, teaching and assessment methods' p. 4) and interconnection (through increased international cooperation). In practical terms this generated three report annexes focused, respectively, on academic freedom, the social dimension of higher education and recommendations to

national authorities for the enhancement of quality learning and teaching in higher education. With respect to this report the most significant element of the Rome Communiqué is Annex III (EHEA Rome 2020b) focused on developing quality teaching and learning through three commitments:

Developing student centred learning

This involves a commitment to curriculum innovation (including learning outcomes, assessment and quality assurance) focused on developing ‘the skills needed to address current and future challenges of society’ (EHEA Rome, 2020b, p. 3). Such an approach seeks to include ‘the development of soft skills, and the skills necessary for the enlightened citizen of the 21st century’ (ibid.). Active methods of learning and inquiry are highlighted in the annex, as is a commitment to developing provision and programmes that meet the needs of diverse learners (including those from underrepresented and disadvantaged sections of the community). The Annex encourages the development of ‘flexible learning pathways’ at institutional, national and EHEA level, in part facilitated by the role of digital technologies. It also encourages a strategic use of Open Educational Resources and the creation of new opportunities for student mobility.

Continuously enhancing teaching

Annex III of the Communiqué encourages the development of collaborative teams (involving academics and professional services/support staff) that can support the development of teaching, underpinned by a strong commitment to the provision of continuous professional development for those engaged in teaching. The Annex also calls for the creation of ‘sustainable and supportive environment[s] at institutional and national levels for the transformation, especially digital, of quality teaching and learning’ (EHEA Rome 2020b, p. 4). The Annex goes on to assert:

Such an environment should be created in collaboration with staff responsible for teaching, and include a framework with decent working conditions and manageable teaching workload as well as attractive tenure opportunities’. (ibid)

In order to support these objectives the Communiqué makes the case for a parity of esteem between teaching and research, and the corresponding need for structures relating to career progression and development that appropriately recognise the value of teaching.

Strengthening systemic and institutional capacity to further enhance learning and teaching

The commitment to building capacity for improvement is in part to be achieved by raising the profile of learning and teaching issues in national higher education strategies, ensuring that there is ‘structured and continuous dialogue’ with higher education institutions and relevant stakeholders when developing and implementing such strategies. Such an approach should also be aided by developing a research-informed methodology to policy and strategy development, and building the knowledge base in relevant areas by encouraging a rigorous approach to project piloting and evaluation. As in other areas of the Annex, the case is made for increased international collaboration and knowledge sharing in order to facilitate the sharing of good practices across national borders.

Within this commitment the Annex recognises the need for ‘appropriate and stable funding and resources, and . . . fit for purpose regulatory frameworks’ (EHEA 2020b, p. 4) to allow higher education institutions to create the conditions for innovation and develop the necessary environments to support high-quality teaching and learning.

Higher Education: central to Europe's economic and social agendas

The European Union, as a political project, has always been characterised by its mix of economic and social objectives (Zeitlin and Vanhercke, 2018). In some instances the relationship between these two broad goals can be presented in the form of a zero sum game in which 'more' of one element necessarily implies 'less' of the other. Although there are undoubtedly trade-offs in some instances, it is more common to present the relationship as one of interdependence in which economic and social goals work iteratively to reinforce each other. The relationship is clearly complex, and frequently characterised by tensions (Crespy and Schmidt, 2017), but the key to understanding the European's political trajectory in part lies in understanding the ways in which economic and social goals oscillate in an uneasy and sometimes unstable equilibrium (Costamagna, 2013). Arguably, this is nowhere illustrated more clearly than in relation to education policy, which is seen as central to securing both economic and social objectives, with education policies used to both consolidate market forces and correct market failures (Copeland and Daly's (2018) distinction between 'market making' and 'market correcting' social policies).

In the period after the 2008/9 economic crisis the priorities of the European Commission focused on securing financial stability, recognised as increasingly important given the levels of cross European economic integration through the single market, but in particular within the Eurozone. This resulted in the immediate imposition of tough financial targets, and in many countries the sharp impact on public finances resulted in what are known as the austerity policies of the post-crisis years. Education spending across Europe suffered badly in this period. Public finances in general terms experienced substantial cuts in the post crisis years, but education budgets fared disproportionately badly (Stevenson et al, 2017). Periods of recession typically increase public spending in some areas (most obviously social security and welfare spending that have to respond to rapidly increasing need), while adding even further to the pressures on spending in other areas. Education spending is one such budget heading. There is some evidence of counter-cyclical demand for education (when reductions in job opportunities encourage individuals to enhance skills through training) but this does not often require corresponding increases in supply. On the contrary, education spending can be seen as a relatively 'soft target' in periods of public sector contraction, and this was clearly the case in the post crisis period. Furthermore, and within the wider envelope of public expenditure, spending on higher education was seen as particularly vulnerable.

As European economies began to stabilise, albeit slowly and unevenly, there was an increasing recognition that the focus on austerity had presaged significant social costs and that a new equilibrium between economic and social objectives needed to be secured (Armstrong, 2012). The most obvious manifestation of this renewed interest in a more social Europe was the establishment of the European Pillar of Social Rights (EPSR) (European Commission, 2017). The EPSR emerged as a proclamation by the European Council, Parliament and Commission at the Gothenburg summit in 2017 in which three broad areas of commitment (equal opportunities, fair working conditions and social protection and inclusion) are evaluated within Member States by virtue of a social scoreboard across 20 'principles'. From the outset the EPSR has been located within the European Semester, which was established in 2010 as the European Commission's principal form of economic governance, but over time it has become increasingly associated with social policy co-ordination. Member States' progress on the social scoreboard is reported within the European Semester (specifically within the Joint Employment Report), and nominally at least, there is an expected relationship between issues identified within the Social scoreboard and the content of Country Specific Recommendations that are the endpoint of the Semester.

The European Semester has consistently made recommendations relating to the higher education sector, sometimes specifically, and sometimes of a more general nature. The range of recommendations reflects the role of higher education in relation to both economic and social goals.

For example higher education is seen as making a significant contribution to the development of human capital, while the research agenda in higher education institutions is recognised as being critical to supporting innovation. In the 2019 and 2020 European Semesters no fewer than 21 and 15 countries respectively received recommendations relating to investment in research (Stevenson and Selechopolou, 2021), and although higher education is only one source of research it is nevertheless a critical one. Higher education, including making higher education more accessible, is also seen as key to improving social mobility.

These ambitions for higher education were also reiterated in the EPSR Action Plan which emerged from the Porto Summit under the Portuguese Presidency and which described the EPSR as providing the European Union's 'social rulebook', to be organised on the basis of a revised and enhanced social scoreboard (European Commission, 2021). The EPSR Action Plan sets out a target for at least 60% of adults to be participating in training every year and has a strong focus on all levels of education including higher education. For example, higher education is seen as central to developing a 'high performing digital education ecosystem in Europe and ... enhancing digital skills and competences to address the digital transformation for all' (p. 23). It is recognised that teaching in the higher education sector experienced extraordinarily rapid change during the highpoint of the Covid pandemic, and has a major contribution to make in equipping people with the skills to help navigate increasingly digitalised futures. These goals will in part be enabled by the adoption of a 'transformation agenda for higher education' intended to 'unlock the full potential of higher education institutions for a recovery geared towards a sustainable, inclusive, green and digital transition' (p. 24).

In highlighting how higher education institutions can contribute to both the economic and social goals of the European project, the EPSR also recognises that the EU's social dimension is about processes, as well as outcomes, and that the 'social rulebook' also requires a commitment to the active engagement of employer and employee representatives through social dialogue. In much the same way that it was acknowledged that the 2008/9 economic crisis had impacted public investment, it has also been acknowledged that the economic crisis had an extremely deleterious impact on social dialogue in many Member States. This was most obviously recognised when, under the Juncker Presidency, the Commission signalled the need for a 'new start for social dialogue' (European Commission, 2016), which was then reinforced through the inclusion of social dialogue as a principle within the original EPSR. This has since been maintained under the Von der Leyen Presidency with the EPSR Action Plan stating that 'social dialogue at national and EU levels needs to be reinforced' and going on to assert that 'social partners play an important role in mitigating the impact of the pandemic, sustaining the recovery and managing future change' (European Commission, 2021, p. 36).

Social dialogue in Higher Education

Industrial relations issues in higher education sectors are widely recognised as complex as there are a number of distinctive features of higher education institutions that are not replicated in other industrial contexts. This contributes to an industrial relations environment that is unusual, diverse (especially when considered in a European context) and often fragmented. Understanding the contours of these distinctive features is important because clearly these link closely to the type of policy options and institutional arrangements that exist in any particular context.

As has been indicated, it is widely recognised that social dialogue arrangements require strengthening in many contexts (defined by industrial sector, geographical location) and that long term trends were accelerated by the impact of economic crisis when Bach and Bordogna (2013) described public sector social dialogue as the 'victim' of the economic crisis, as austerity and rapid policy implementation often circumvented established social dialogue procedures.

The higher education sector was not immune from these impacts, whether located in the public or private sectors. However, there are a number of sector specific features that relate to social dialogue in higher education that also contribute to the particular picture. Not least is the differences that exist within countries between different types of higher education institutions, for example between institutions that can be characterised as 'research intensive' or 'teaching led', often with different governance arrangements. Another obvious feature of differences within and between sectors is the balance between public and private sector institutions. In Europe most higher education institutions are located within the public sector, although there can be a significant private sector, with the proportion in the private sector differing appreciably between countries. Moreover, even within the public sector institutions of higher education are not always 'public sector' in the classic sense of the term. In many countries higher education institutions have an 'arm's length' relationship to the state, recognising the importance of institutional autonomy in some form as necessary to protect academic freedom and the encouragement of free thought that is beyond the reach of state control. This in turn shapes the institutional culture of higher education that places a premium on the concept of autonomy at both the level of the institution (for example from the state) and of the individual (for example from the institution). Such cultures, although experienced in very different ways, have a significant impact on how, for example, social dialogue is enacted in a higher education context.

Notions of institutional autonomy are fundamentally questions of institutional governance and whenever considering social dialogue arrangements in higher education it is essential to take account of the respective contributions of collegial governance and managerial authority as well as the role of social dialogue between social partners. These three different components of sector governance interrelate in complex and often shifting ways, with differences between broadly similar institutions often being significant.

This complexity across higher education sectors in different countries in Europe is in turn reflected in social dialogue arrangements and the role of social partners. In the recent 'Representativeness' study, published by Eurofound, research identified 145 employer organisations across the education sector (EU27 + UK) of whom 48 represented the higher education sector (with 20% of these representing the higher education sector only) (Eurofound, 2020). The study highlighted that 61% of employer organisations participate in collective bargaining, while 24% do not. The relatively high figure for employers that do not engage in collective bargaining in part reflects the experiences of employer organisations that do not determine pay and related issues because these are determined by Ministries. On the employee side the Representativeness study identified 202 trade unions, with 122 representing members in the higher education sector. Of these 122, 114 trade unions indicated they were involved in collective bargaining. The report comments that union density in the education sector

is typically high, but that density levels in higher education are commonly lower than in the primary and secondary education sectors.

The above picture illustrates some of the complexities that are common across higher education systems in Europe, even if they assume different forms in different contexts. For example, on the trade union side some trade unions represent only some types of institutions while in other cases different trade unions represent different groups of workers in the sector (what is sometimes referred to as ‘adjacent’ multi-unionism). In other instances some unions represent members in particular geographical areas. On the employers’ side many of these complexities are mirrored, with some employers representing only sections of the wider higher education sector, and in other cases employer organisations can be organised to only represent institutions in particular geographical areas.

In many instances social dialogue contexts are shaped decisively by institutional arrangements in which employer organisations and the state have separate roles in which the former is the contractual employer, while the latter is responsible for decisions about funding and remuneration. As a result of these complexities social dialogue can assume distinctive forms. For example, the presence of multi-employer and multi-employee bargaining can result in considerable intra-organisational bargaining (when there is internal bargaining within a group, employers or employees) before there is bargaining between social partners, while these bargaining arrangements can facilitate more fluid coalitions, when for example employer and employee organisations join together to lobby government.

A final consideration when analysing social dialogue arrangements in higher education is to seek to understand what issues are determined through social dialogue and what form the social dialogue agenda takes. Commonly, social dialogue agendas relate narrowly to traditional ‘industrial’ issues that relate to remuneration and contracts, but in some sectors, such as education, there is evidence of a broader agenda in which so-called ‘professional’ issues are also the focus of social dialogue. This is in part because many professional issues may be seen as legitimate issues for employees to want collective representation, but also because in many cases there is no simple distinction between ‘industrial’ and ‘professional’ issues. All so-called professional issues have implications for workload, career development and equalities and therefore become inseparable from so-called industrial issues.

Research evidence relating to the bargaining agenda in higher education is quite sparse, with most work in this area in education focused on the school sector. ETUCE’s own study in 2016 reports findings from a trade union perspective only, but illustrates that although the range of issues can be considered broad, a more detailed analysis indicates that those issues discussed most frequently could be considered as traditional, while issues considered as ‘professional’ were less commonly the subject of social dialogue. The findings can be summarised as follows:

Frequently discussed	Middle range issues	Least frequently discussed
Working conditions Working time Salaries	Professional development and training Gender equality Health and safety Higher education policy/funding Professional autonomy and academic freedom	Professional ethics Professional standards Curricula development

(ETUCE, 2016)

Developing a framework for considering social dialogue in higher education:

The complexities of the industrial relations environments in higher education, within and across European countries, requires the use of a framework that is capable of capturing the nuances of current systems with all their attendant diversity. Within this study, and given the focus on enhancing teaching and learning, we identify the following factors as necessary in order to develop an understanding of the social dialogue experience in different contexts:

- Social dialogue agenda: identifies the issues that are the subject of discussions within social dialogue arrangements. The agenda advanced by the Rome Communiqué is a broad one – are these issues the subject of dialogue between social partners?
- Social dialogue levels: identifies the institutional levels at which relevant decisions are being made. In many instances this is a balance between national and institutional levels. For example, is pay the outcome of national collective bargaining arrangements or the product of local determination? In many countries regional and local administrations may have a role to play, while it is also important to recognise that important decision making can take place at multiple levels *within* institutions. For example, many important decisions about teaching and learning can be made at Departmental level and are not ‘whole institution’ decisions. For effective social dialogue to occur, it is important for dialogue to take place at the level where key decisions are being made.
- Social dialogue forms: recognises that ‘social dialogue’ is an intentionally inclusive term intended to capture all the relevant ways in which dialogue takes place between social partners. There is often a focus on collective bargaining, understandably, but this is only one aspect that also includes consultation, information sharing and joint working on projects and initiatives. Social dialogue also includes informal as well as formal interactions.
- Social dialogue frequency: acknowledges that it is necessary to get some sense of the regularity, or otherwise, with which issues are addressed through social dialogue. This may be particularly important in areas where issues are not considered as part of the traditional bargaining agenda.

In the sections of this report that follow this framework is used to explore the social dialogue arrangements in higher education sectors in different contexts.

Much of this data has been provided by a survey that was circulated to all EFEE and ETUCE member organisations. In total 31 responses were received including a small number of duplicate submissions. This left responses from 28 different organisations with 9 from EFEE and 19 from ETUCE (a ratio of employers to trade unions that reflects the different numbers of member organisations). The overall number of respondents is relatively low. This is in part because the numbers of members in both organisations that represent the higher education sector is a minority of total membership. There is also some evidence that member organisations continued to face considerable pressure due to the Covid pandemic and the capacity to respond to initiatives such as this was more limited. With these caveats in mind the survey is able to convey a rich picture of social dialogue arrangements in various higher education sectors, not least through the combination of quantitative data and extensive open text responses. There is however no effort to generalise from the data, but rather readers are encouraged to engage with the data reflexively, as an aid to reflecting on one’s own system and experience.

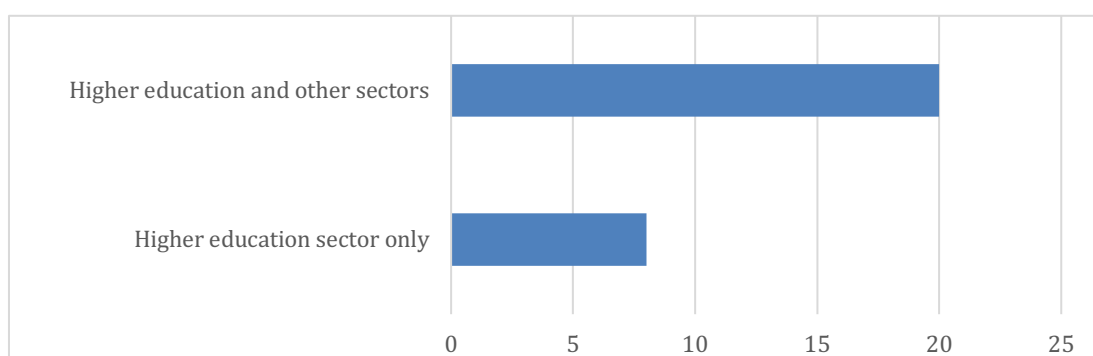
Project Findings

The data presented in the following sections is drawn largely from a survey distributed to all member organisations of EFEE and ETUCE and represents responses from 28 organisations. A full list of responses is provided in Appendix 2.

As a preliminary, the survey sought to establish a basic picture about the organisations represented in the report.

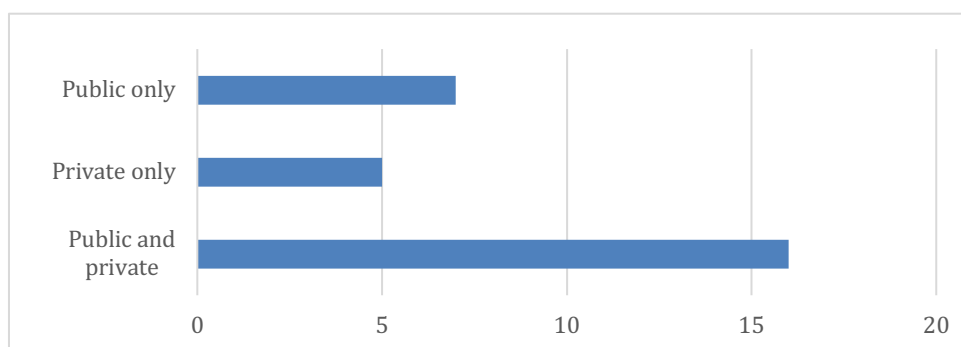
Figure 1 shows that a majority of organisations represent education sectors beyond higher education and therefore higher education interests are likely to be one set of interests among others.

Fig 1: Does your organisation represent only the higher education sector, or higher education plus other education sectors?



As well as representing a range of education sectors most organisations represented in the survey represented institutions in both the public and private sectors. A smaller, but still significant, number of organisations represented employers/employees in either public or private institutions only.

Fig 2: Does your organisation represent members in the public sector, private sector or both?



The complexity of the bargaining environment in higher education systems is illustrated by the number of respondents who indicated that their organisation was only one of multiple organisations representing employers/employees in the sector. This is significant because where any party is only one of two or more parties representing either employers or employees then it is common that significant

intra-organisational bargaining will be necessary before social dialogue between social partners takes place.

Fig 3: Is your organisation the sole representative of employers/employees or one of multiple organisations?

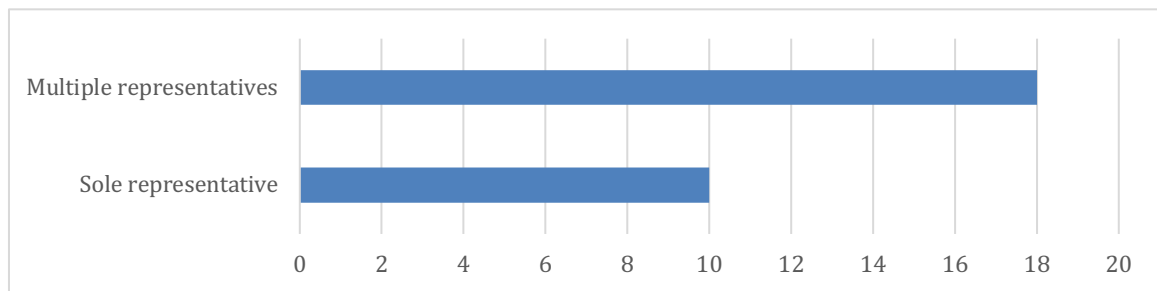
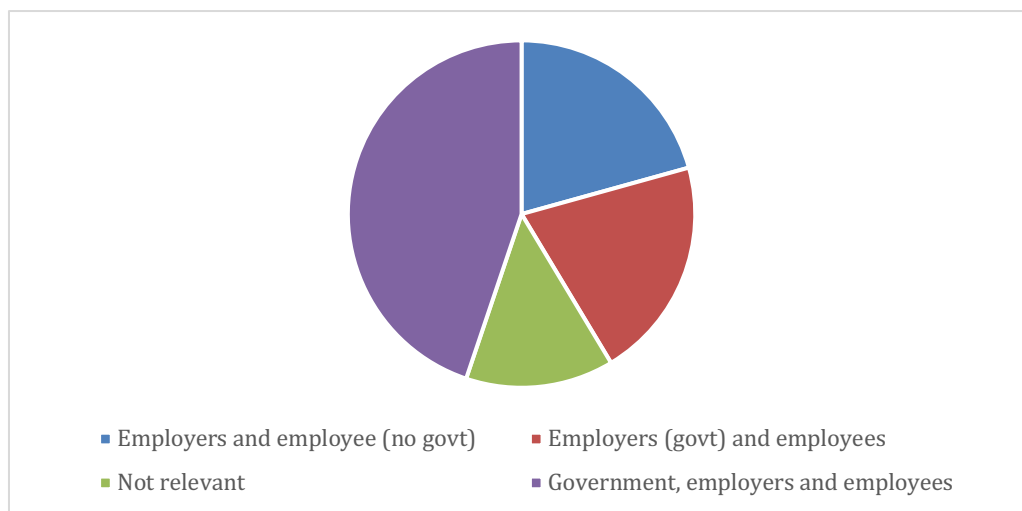


Fig 4 reveals that where social partners are involved in social dialogue most of these discussions take the form of tripartite arrangements involving employers, employees and government. In a significant number of instances arrangements can be described as bipartite because the employer and the government are one and the same.

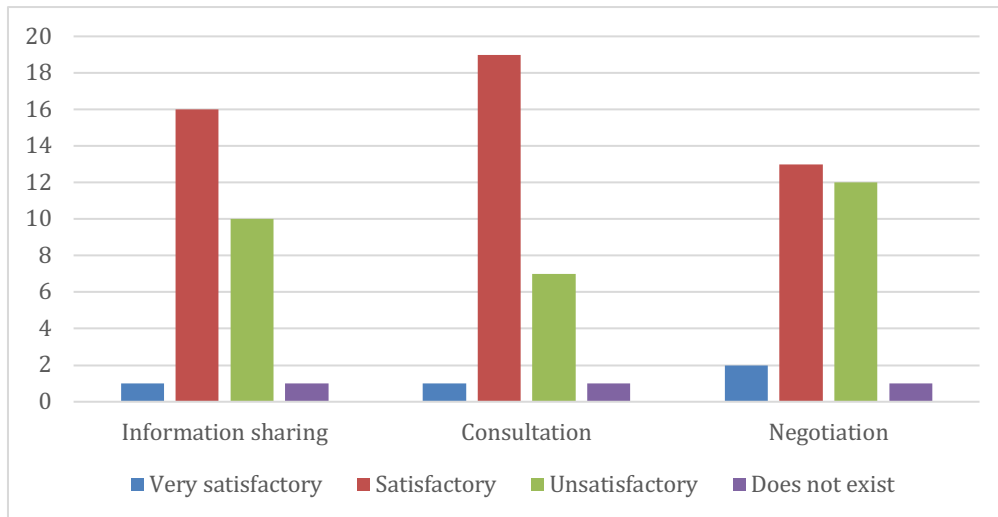
Fig 4: Social dialogue arrangements



Survey respondents were invited to express levels of satisfaction with social dialogue arrangements across different types of social dialogue, including information sharing, consultation and negotiation. On all three counts the most common response was to indicate that social dialogue arrangements were satisfactory, although on all scores there was a significant number of respondents who indicated arrangements were less than satisfactory. This was most obvious in relation to negotiation where almost as many respondents indicated dissatisfaction as satisfaction.

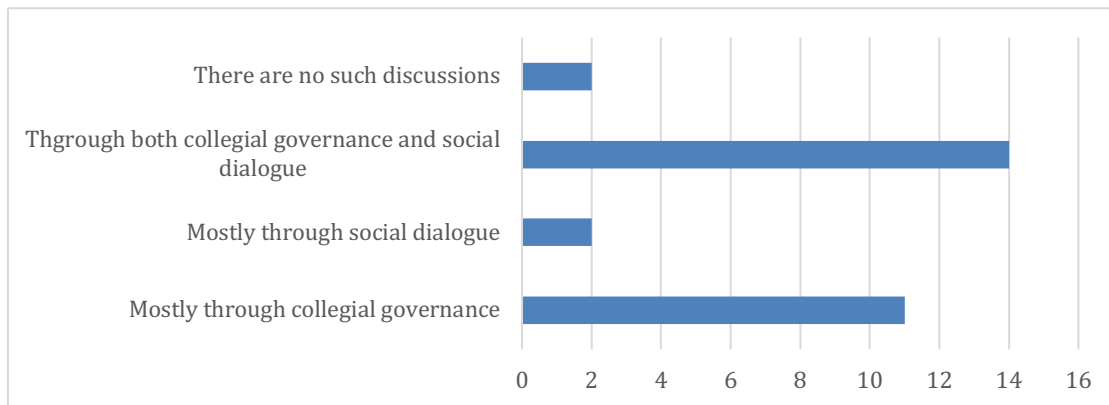
This should not necessarily be a surprising finding. Social dialogue is ultimately the expression of a power relationship in which employers and employees engage in discussions to resolve problems. In only one type of social dialogue, negotiation, does the relationship require an agreement to be reached and therefore there is increased potential for disagreement, frustration and conflict. Other forms of social dialogue (information sharing, consultation) are based on a different power relationship (there is no requirement to reach an agreement after consulting) and so expectations tend to be lower and potential frustrations more limited.

Fig 5: satisfaction levels relating to social dialogue



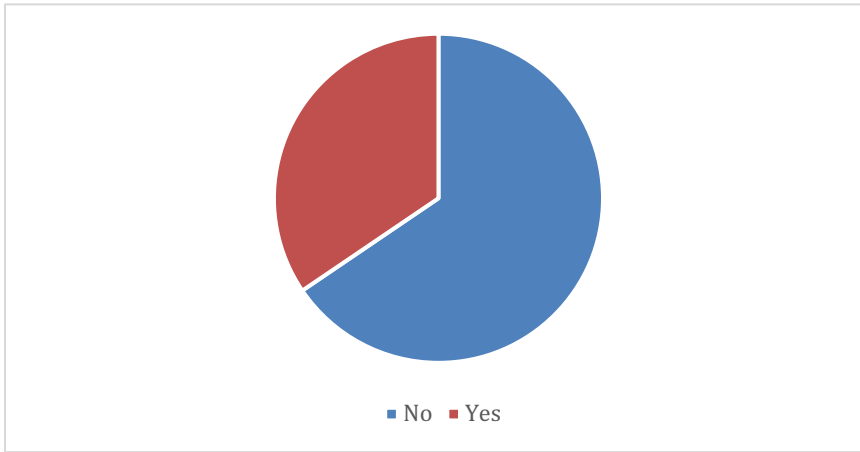
Survey responses confirmed the complex picture of higher education sector industrial relations by highlighting the diverse relationships that exist between social dialogue and collegial governance arrangements within institutions (figure 6). The most common response was to indicate that discussions relating to curriculum and pedagogical issues were addressed through a combination of social dialogue and collegial governance (although the survey does not allow for any deeper understanding of the precise balance between the two). A significant number of respondents indicated that these discussions were addressed mostly through social dialogue, with a small number of respondents indicating there were no options for staff to have a meaningful input into discussions on teaching and learning matters.

Fig 6: Decision making about teaching and learning issues



In addition to the three types of social dialogue identified above (information sharing, consultation and negotiation) respondents were invited to indicate whether their organisation was involved in 'joint initiatives' (the fourth type of social dialogue identified by the European Commission) with social partners on matters relating to teaching and learning.

Fig 7: social partners in joint projects



The results reveal a clear majority of respondents indicating no such activity, but where there was activity the survey revealed a diverse range of initiatives and projects.

In most cases joint initiatives made reference to collaborations on workshops and seminars, but in a small number of instances there was reference to more substantial collaborations. For example, Norwegian respondents referred to a joint project called ‘Teacher Education 2025’ involving both trade unions and the Ministry of Education. In the Netherlands it was indicated that both employers and trade unions participate in a fund that makes resources available to improve working conditions, while a respondent from Ireland commented:

Access to courses on teaching and learning (at various levels) have been discussed with the union and time off from class contact has been provided for new staff. It is the norm that all Institutes of Technology/Trade Unions in Ireland give members access to courses on teaching and learning. [Irish trade union respondent].

Finally, in this section respondents indicated to what extent there was awareness within their organisation of the Rome Communiqué 2020 (and the Annex III agenda relating to the quality of teaching and learning). Data presented in Table 1 suggests a mixed picture, with a majority of respondents indicating a level of awareness, but a substantial minority also suggesting no such awareness.

Table 1: awareness of the Rome Ministerial Communiqué

People in my organisation are aware of the Rome Ministerial Communiqué 2020 on improving teaching and learning in the European Higher Education Area.	
Agree strongly	2
Agree	16
Disagree	10
Disagree strongly	1

Understanding social dialogue arrangements in the European higher education sector

Drawing on the framework presented previously (pp. 14-15) the survey sought to identify what issues were being discussed through social dialogue (the social dialogue agenda), at what ‘level’ in the system, drawing on what methods of social dialogue, and with what frequency were issues being discussed.

Survey respondents were invited to consider a range of issues (the potential social dialogue agenda), with the range of issues drawn from those identified within Annex III of the Rome Communiqué (see Appendix 1). In order to support communication and understanding the range of issues in the survey have been clustered here under a range of sub-headings:

- Terms and conditions of employment
- Curriculum and pedagogy
- Professional development and professional standards
- Higher education policy and funding
- Academic freedom and intellectual property

In setting out this data it is important to recognise that what is presented is a snapshot of what may be happening, but this offers no commentary on the effectiveness of the discussions. That is, the focus here is on the process, without making any judgement about outcomes. For example, an issue may be being discussed frequently precisely because it has not been possible to make any progress in relation to the substantive issues.

Terms and conditions of employment

Survey respondents were asked about social dialogue arrangements in relation to pay. Pay is clearly a central factor in being able to recruit and retain high quality teaching staff and is identified in Annex III of the Rome Communiqué in this context. Pay may be considered as a traditional social dialogue concern, and this was reflected in the data. A majority of respondent organisations (18) reported that they engaged in negotiations over pay at the national level, suggesting that higher education pay is typically determined at the national level through formal methods of collective bargaining. That said, 10 organisations reported that they had no involvement in social dialogue over pay issues at the national level, often accounted for by systems in which government determines pay outside of bipartite social dialogue between employer organisations and employees.

Ten organisations indicated that pay was the subject of negotiation at the institutional level, suggesting that despite a focus on national pay determination the decentralised nature of higher education systems means that even a factor like pay can be subject to significant local discretion.

Much of the recent debate about pay has focused on the existence of pay gaps based on gender, ethnicity and (dis)ability. Of course issues relating to equalities, diversity and inclusion extend far beyond questions of pay but all of these wider equalities issues have an important bearing on the need to ensure higher education institutions are able to make the fullest and best possible use of the contribution of everyone. In this area most respondents indicated that at the national level consultation was the most widely used form of social dialogue, although a significant proportion of respondents were engaged in negotiation of equalities-related issues as well.

At an institutional level much of the dialogue focused on equalities issues assumed the form of consultation, with fewer respondents engaged in negotiations than was the case at the national level. At both the national level (7 respondents) and the institutional level (5 respondents) a relatively small but significant number of organisations indicated there was no social dialogue in relation to equalities issues at all.

Of interest was that respondents indicated that equalities issues were discussed more frequently at the institutional level than at the national level, once again highlighting the importance of local decision making in the higher education sector industrial relations environment.

Concerns relating to the levels of precarious working, that were expressed elsewhere in the survey by both employers and employees, were reflected in the relatively high prominence given to this issue in social dialogue. At a national level 18 organisations indicated that there were national level negotiations on issues relating to precarious working and associated contractual issues, with 12 respondents indicating that this issue was a source of frequent discussion through social dialogue. Similar figures, although slightly lower, were presented in relation to discussions at the institutional level with 12 respondents indicating that the issue of precarious contracts was discussed frequently at the local level, and 10 respondents indicating the issue emerged at least occasionally. Here we reiterate a point made previously that frequent discussion may be the result of an inability to make meaningful progress and is not necessarily a positive indicator.

The linked issue of workload was explored within the survey, recognising its placing in the Annex III agenda, and the understanding that manageable and sustainable workloads are key to ensuring the consistent provision of high quality teaching. Eleven survey respondents indicated that workload issues were the subject of national negotiation, but this figure was appreciably higher at the institutional level where 16 respondents indicated that they were involved in negotiations relating to workload. This focus on more decentralised social dialogue arrangements in relation to workload was also highlighted by data that indicated that 11 respondents indicated they were not involved in discussing workload issues in any form of social dialogue at the national level. The corresponding figure at the institution level was reported by only 5 respondents. These figures were further reinforced when analysing responses relating to frequency of discussions, with 19 respondents indicating workload issues were discussed frequently, compared to only 11 organisations responding in the same way at the national level. Twice as many organisations (12) indicated that issues of workload were not discussed at all at the national level when compared to the institutional level.

The final issue in this section focused on digital learning, specifically in relation to health and safety concerns and working conditions. The use of technology has long been an industrial relations issue, but this has principally been in relation to those whose work involved long exposure to screen working for example. However, the dramatic impact of Covid, and the related pivot to remote teaching for many academic staff, has made this a key issue for many more higher education staff. The 'emergent' nature of this issue was in turn reflected in the data with only 7 respondents indicating that this issue was a subject of national negotiation, although other forms of social dialogue (such as consultation and information sharing) were more common. Institutional level responses largely mirrored the national picture, with a minority of respondents at both levels indicating that discussions were frequent. On this issue the nature of the questions made it difficult to capture the specific dynamics of the impact of the pandemic on social dialogue and it seems reasonable to assume that this is an issue that is likely to become increasingly important and therefore occupy a more prominent role in social dialogue agendas.

Curriculum and pedagogy

A number of questions in the survey had a very clear focus on the curriculum and teaching as key concerns of the Annex III agenda. As has already been indicated, research would suggest that these issues are traditionally less likely to be seen as part of discussions between social partners and more likely to be addressed through collegial governance arrangements or interactions between managers and academic staff. However, as changes in many of these areas become more substantial, and occur at increased pace, with implications that impact both workload and professional autonomy, it may be that the case for embedding these discussions in social dialogue increases.

The survey sought respondents' views on the extent to which curriculum reform is currently the subject of discussions between social partners. As might be expected, at national level there was limited negotiation around curriculum reform, and the most frequent response (13) was to indicate that at the national level there was no social dialogue in any form in relation to curriculum reform. However, this

picture was quite different at the institutional level, with only 8 respondents indicating this was not a topic for social dialogue, and an appreciable number of respondents indicating that consultation and information sharing were common (13 responses each). Similarly, although at the national level most respondents indicated discussions in these areas were occasional, the most common response at the institutional level was that discussions were frequent (12 responses).

The apparent importance of institutional level social dialogue was also reflected in responses relating to innovations in teaching that may be considered a core Annex III priority. Although the dominant response at the national level was to suggest that these issues were rarely a focus of national social dialogue, (13 respondents indicated no social dialogue on these issues at the national level) the pattern was different at the institutional level where half of all respondents indicated that consultation took place on these issues, and that at this level this discussion was at least occasional (13 responses) and often frequent (9 responses).

Another area of interest under this heading that focuses on core elements of the pedagogical process was a concern with student assessment issues. Issues of student assessment have often been contentious in the earlier years of the education system, where the growth of standardised testing has been highly controversial, but these issues have typically been less prominent in higher education where central imposition of policy is more difficult and less common. At the national level the most common response was to indicate that student assessment issues were not the subject of social dialogue, and this response was echoed at the institutional level, although with some variation, with occasional consultation more likely at this level.

The final area identified under this heading, and drawn directly from the Annex III agenda, was the need to develop pedagogical approaches appropriate to increasingly diverse classrooms, and capable of responding to the needs of diverse learners. In this instance, at both the national and institutional level there was little evidence of this being seen as a social dialogue priority. At the national level several respondents (14) indicated there was a sharing of information in relation to this issue, but at the institutional level (closest to where the issues are experienced) the most common response (13) was to indicate that there was no engagement in any form of social dialogue. As with several other issues where current levels of social dialogue appear limited, it must be questioned as to whether such a situation is sustainable in the longer term.

Professional development and professional standards

Within the survey a number of questions focused on what might be considered as broad areas of professional development, professional standards and career development. These can be considered to be of particular interest because in many ways they transcend the classical industrial-professional dichotomy represented by the first two categories. Several of the issues under this heading have a very direct impact on teaching (through, for example, access to professional development) but also have clear and significant contractual implications (is there is contractual entitlement/obligation to engage in professional development, and if so, how might this relate to career progression?).

Respondents were asked directly about professional development as a subject of social dialogue. Recognising the points identified above (and the contractual nature of many of the issues), a significant proportion of respondents (10) indicated professional development was the focus of negotiations at the national level, although the most common response was to identify consultation as the most likely form of social dialogue. At the institutional level consultation was also the most common response indicated, although there was less evidence of negotiations being used (only 6 respondents). That said, the survey indicated that social dialogue at the institutional level on this issue took place with greater frequency, suggesting that the 'local' nature of the issue made it more informal, but nevertheless one that has a clear social dialogue dimension. Within the survey a specific question was asked about

professional learning in relation to digital technologies. This issue was clearly thrown into sharp relief by the Covid pandemic, but is also likely to become an increasingly significant issue in the future. Data from the survey suggested that there had been limited social dialogue in relation this issue (mostly information sharing and consultation), with a significant number of responses (12) indicating this was not the subject of social dialogue at the national level. However, this figure was lower at the institutional level where social partners were confronted by the immediate and pressing issues of supporting academic staff to teach online.

Access to professional development can have a significant impact on the opportunities for career development open to staff, and the survey specifically asked questions relating to career structures and (the sometimes related) issue of professional standards. Career structures were most likely to be the subject of consultation at the national level, although a significant proportion of respondents (10) did indicate these issues were subject to national collective bargaining. At an institutional level the most common form of social dialogue was consultation (16 responses), but it was also indicated these discussions were most likely to be occasional. Discussions relating to 'professional standards' were much less likely to be between social partners, which is an outcome that simply reflects the diverse range of national policy responses to 'professional standards'. Approaches to developing formal professional standards frameworks vary significantly across education systems, and particularly in higher education systems, so it is unsurprising that the most common response on this issue, at both the national and institutional level, was to indicate social partners had no involvement in social dialogue on this issue in any form.

Similar results were evident in relation to issues of appraisal and performance management in which variations between national systems can vary considerably. In some instances evaluations of performance can be highly formalised, with clear links to promotion and pay progression, but in other systems such processes are much less formal and focused only on supporting professional development. This situation was highlighted in the data with the most common responses at the national and institutional level indicating there was no social dialogue relating to these issues in any form.

Higher education policy and funding

Elsewhere in the survey both employer organisations and trade unions highlight issues of policy and reform as key issues. For employers organisations these issues can look very different depending on whether the employer has the ability to shape macro level policy and/or funding.

With regard to higher education policy reform social partners are consulted in a clear majority of instances (20), with negotiations taking place when relevant. At an institutional level the most common form of social dialogue was also consultation. A small number of respondents indicated they have no involvement in social dialogue relating to policy reform.

A similar picture emerges in relation to social dialogue about higher education funding. Most respondents (15) indicated that at the national level social dialogue about funding took the form of information sharing. Where social dialogue takes place in relation to funding then this is more likely to occur at the national level than at institution level. Ten respondents indicated that social dialogue about funding is frequent, but more respondents (12) indicated that they are not involved in social dialogue about higher education funding at all.

Academic freedom and intellectual property

Academic freedom, and professional autonomy, can be seen as key features of the distinctive nature of higher education teaching, given the importance of freedom of thought within democratic societies. These issues are identified as a matter of negotiation among a relatively small minority of survey respondents (at national and institutional level), although social partners are involved on a consultative basis more commonly. These issues are not discussed frequently, but as might be expected, on a more occasional, 'as required', basis.

A similar pattern could be said to apply to issues relating to Open Educational Resources (OER) and intellectual property, grouped here given the focus on the production of intellectual output, and the associated ownership of it. These issues have always been complex, but have become increasingly contested as electronic media have developed and matters relating to the storage and distribution rights of academic labour have assumed new forms. In this instance the survey data indicated these issues were the subject of negotiation in a minority of instances (5 respondents at the national level and 7 at the institution level), but that engagement in consultation was much more common. Social dialogue in relation to these matters appeared to be more common at the institution level, reflecting the localised nature of the issues and the likelihood of arrangements being made institution by institution. For example, 11 respondents indicated these matters were never the focus of social dialogue at the national level, but only 4 respondents answered in the same way at the institution level.

Enhancing the quality of higher education teaching and learning: identifying the role of social dialogue

Within the survey a number of 'open text' questions invited respondents to discuss a range of issues relating to the enhancement of teaching and learning, and the specific contribution of social dialogue to this process.

When asked to identify what factors would make a significant contribution to enhancing teaching and learning then many responses focused on a range of core social dialogue concerns. The most frequently cited issues often focused on the need for additional investment, and the need to provide the working conditions that make quality teaching possible. Although there are clearly concerns about the global levels of funding made available to higher education (i.e., that investment in the sector is insufficient) it was also argued that this issue may be more acute in relation to teaching specifically, and that funding problems were also a result of internal priorities, with teaching being undervalued within a wider set of priorities. It was also recognised that seeking to bring about significant change in professional practices requires serious investment. In some cases it was argued that expectations in the system were increasing (for enhanced quality teaching) but that this could also be accompanied by increases in student numbers and static levels of resourcing, creating increased pressures in the system.

One of the most frequently cited issues, and acknowledged by both employer and employee representatives, was the scale of precarious and insecure work that is common in many higher education sectors. It was argued that this made it difficult for such staff to provide the highest quality experience as they could not develop a long term commitment to their role (making it difficult to decide how much time to invest in planning teaching programmes). Feelings of insecurity have the potential to undermine mental health and wellbeing, and also weaken institutional commitment

Several of the responses identified the need to directly support those engaged in teaching to further develop practice and highlighted the importance of access to professional development to achieve this. Some responses highlighted specific areas that could contribute to enhancing the learning experience (digital learning, problem based learning, the increased use of flipped or reversed classrooms) but it

was recognised that access to high quality professional development is critical to bring about change in these areas. In some cases it was argued that such change could be helped by national initiatives and national guidance/advice to support teaching and learning projects, but in other cases the argument was presented for further increasing levels of institutional autonomy. Clearly these aspirations are in tension, and it is important to recognise that this is an important issue that has to be resolved in the context of local political decisions. What is important is that these decision-making processes are open and transparent and that social partners are engaged in the debates.

Calls for better access to professional development also linked to a number of suggestions that highlighted the need for a more equal relationship between teaching and research in the academic contract. Several respondents argued that teaching needed to be more highly valued within higher education institutions, and that contracts that supported career development need to more effectively recognise the contribution of teaching. In one instance the case was presented for 'a career pathway based on teaching quality', but it was not clear if this amounted to a 'teaching only' route to career progression, or one based on a more effective balance between teaching and research. The more general point was that the distinctive nature of teaching in a higher education institution requires a relationship between both teaching and research, but it is important that the former is valued appropriately. This required teaching to be more widely recognised and highly valued. One respondent argued that commitment to teaching should be incentivised through the pay and remuneration system, possibly in the form of performance related pay. In some other instances it was argued that a lack of research opportunities undermined the ability to develop genuine research-informed teaching and therefore protecting time for research activity was essential for developing quality higher education pedagogies.

In many ways, and as might be expected, when respondents were invited to identify potential obstacles to the development of quality teaching the responses were the converse of the factors identified above. Hence funding was identified as necessary to support the development of teaching, and the lack of funding was identified as a current obstacle. Again, it was pointed out that within institutions internal funding allocations did not always support the prioritising of teaching activity. However, there were a number of 'hindrance issues' identified that could not simply be reduced to the opposite of those factors identified above. One concern expressed by several respondents was a perceived lack of political commitment to the agenda that is the focus of this report, and the corresponding need to ratchet up support for the issues identified in the Rome Communiqué.

A general concern raised by some respondents was the perceived lack of support for teaching activity in an environment in which expectations and accountabilities were being raised. One respondent (employer representative) argued that there was currently a lack of accountability in their system in relation to teaching quality, although a counter-argument was that teaching suffers from 'constant evaluations' (trade union representative). These are clearly divergent views that need to be resolved locally, but a common concern was that levels of administration were increasing (possibly linked to increased accountabilities) and that these demands detracted from the ability to plan teaching activities. One respondent highlighted the problems of increased bureaucratisation leading to increased standardisation and a reduction in creativity (with a corresponding impact on quality). Lack of administrative support for those engaged in teaching, or insufficient time for class preparation, were identified as obstacles.

In the survey respondents were invited to indicate how social dialogue structures might be adapted to ensure that social dialogue can make a meaningful intervention that supports the development of quality teaching. Several respondents indicated that in their context no appreciable changes were necessary, and that existing structures were adequate. In these cases what was required was a renewed focus on the core issues. One respondent argued:

Social dialogue works well. Direct issues concerning the quality of teaching and learning are not social dialogue issues. Social dialogue provides indirect support.

In other instances, a number of practical suggestions were made to strengthen social dialogue arrangements, and to build the capacity to engage with the debate about teaching and learning quality. One respondent argued that collegial governance and social dialogue structures needed to be more effectively connected, and that in the context employers needed to be willing to engage with a wider range of issues and *'to negotiate on key employment issues that underpin [the] quality of teaching and learning (e.g. workloads and casualisation)'*. This need to change a mindset was also recognised by a union respondent who recognised that the union needed to shift its own thinking if it was to engage in the teaching and learning debate in a more meaningful way. Similarly, it was recognised that developing an extended bargaining agenda could generate significant capacity issues, and that social partners may require both resources and skills development to undertake this work effectively.

Finally, one respondent argued that social dialogue made a significant contribution to developing a plurality of voices in the higher education system, and that there is a need to *'enhance academic freedom [and] increase democracy in the university'*. It was argued that social dialogue has a key role to play in this regard.

Covid 19 pandemic postscript:

Survey respondents were invited to comment on how issues that are the focus of this project were impacted by the experience of the pandemic, and the responses reveal a diverse range of experiences. The two significant social dialogue agenda issues that emerged in new forms were those relating to health and safety and to digital learning. Both these matters clearly developed rapidly, and in many cases this involved social partners in much more discussion about relevant issues. The focus on digital learning also sometimes included discussion of intellectual property rights which emerged as a more significant issue during the pandemic. One respondent described the expansion of the bargaining agenda due to Covid in the following terms:

Social dialogue has become even more intensive during Covid. More issues – duties during remote studies, necessity for additional pay because of the use of individual [personal] resources during remote studies, vaccination issues etc.

Several respondents highlighted this expansion of the bargaining agenda, often into new territory, but an appreciable number of respondents pointed out that very little had changed – *'in my opinion the pandemic has not changed the social dialogue agenda related to the quality of teaching and learning.'*

In some cases it was recognised that the experience of the pandemic opened up increased opportunities to discuss new issues in new ways, and that the enforced changes introduced as a result of the pandemic made change in the future more likely. One employer's organisation commented that *'the understanding of change has increased. One cannot only stick to the old ways'*.

These changes, and the need for rapid responses (one respondent referred to *'accelerated'* digitisation and associated *'express'* training), clearly had an impact on the processes of social dialogue, with some respondents identifying a deepening of dialogue (as employers sought to work with employees to tackle complex issues), while others reported a marginalising of social dialogue as the perceived need for rapid action resulted in the circumventing of established procedures. These tensions, sometimes pulling in different directions in the same system, were highlighted by the following respondent:

Well established structures at the national level were utilised even more frequently during the pandemic. However, at institutional level the need for rapid decisions to some extent weakened social dialogue.

Another variation on this complex picture was to argue that social dialogue with government had improved significantly (*'remarkably'*) during the pandemic, but that social dialogue remained focused only on this issue. In another case a respondent commented that the impact of the pandemic, and the move to conducting social dialogue remotely, had made dialogue more difficult and had resulted in progress on important issues, including those relating to teaching and learning, being displaced. Clearly the pandemic required substantial re-prioritising, but it will be important for this work to be re-established in cases where it has been disrupted.

The experience of the pandemic as both threat and opportunity was highlighted by one trade union respondent as follows:

The social dialogue agenda has been disrupted substantially over the past two years, when the focus has been on the maintenance of service. Where benefits [of online working] were perceived to have arisen, social partners are now considering how to mainstream them. However, the obverse of that is that the [union] has had to be vigilant to ensure that the crisis is not exploited opportunistically to dilute or set aside conditions of service or to privatise provision. The protection of personal time has arisen as a concern because of the 'on-call' nature of online provision.

In this instance the reference to 'on-call' work points to the new working conditions issues that are likely to emerge as the role of technology increases and forms of hybrid working possibly become long term trends, in which the boundaries between 'work' and 'home' become increasingly blurred. Another respondent referred to social dialogue relating to working from home *'during and after Covid'*, while also particularly recognising the gendered nature of these issues and the way women were, and continue to be, particularly impacted by changes to 'home working'.

Effective social dialogue to support quality and teaching and learning: a diagnostic framework

Based on the industrial relations literature relating to social dialogue, and following an analysis of the issues that emerge from the data in this project, we present a simple analytical tool that can be used to assess social partners' capacity and potential to engage in social dialogue on a range of issues, and with the possibility of focusing on issues in the 'Annex III agenda'. We present the tool under the acronym R.A.L.O.R.

Resources: refers to the extent to which social partners have the organisational capacity to engage in social dialogue of the type and form necessary. In this instance capacity can include a range of factors including representatives with the time, skills and capabilities to undertake the necessary work. Deep social dialogue, including for example joint initiatives, can be resource intensive. Is there sufficient resource?

Architecture: refers to the social dialogue structures (formal, but also informal) that need to exist in order for social dialogue to take place. Are there clear protocols that allow for this work to take place and for decisions to be made, as necessary? Are adequate mechanisms *in situ*? Do those engaged in the process have the required organisational authority and legitimacy to take decisions as required? Do mechanisms exist that ensure representatives are accountable to those they represent?

Legitimacy: are the issues being discussed accepted by both sets of social partners as legitimate issues for social dialogue? None of this is ever straightforward as different issues in different contexts can be seen, or not, as the proper business of social dialogue. In higher education the complex mix of managerial authority, professional autonomy, collegial governance and social dialogue can make these issues difficult to resolve. Furthermore, as subjects for social dialogue might be expanded, as might be considered the consequence of the Annex III, then it may be that some parties question whether a particular issue is rightly a matter for social dialogue.

Objectives: can social partners agree broad aims and aspirations? To what extent is there a shared agenda for social dialogue? Of course, none of this requires agreement, but rather a commitment to work together to seek to find an agreement, recognising that differences will inevitably exist. Social dialogue is, after all, a mechanism that seeks to reconcile competing interests by recognising that competing interests are to be expected and are not aberrant.

Relationships: it is widely recognised that the foundational basis for effective and productive social dialogue to exist between social partners requires high levels of trust between parties. To what extent is there a well of social capital that social partners can draw on? Is there an established history of working together and reaching agreements? Can each partner have confidence in the ability of the other to deliver agreed goals?

In simple terms where responses to questions are positive then the potential for social dialogue is more optimistic. Social partners can perhaps consider broadening the social dialogue agenda to include new issues not previously included, or might consider more ambitious joint projects. However, where responses to questions are more negative then the outlook for social dialogue is more bleak, and social dialogue would be best focused on securing progress on a more limited range of issues.

In Appendix 3 we set out a series of simple questions that can be used to locate social dialogue status in relationship to these five tests.

Conclusions and recommendations

In this final section we present key conclusions from the project and research and, based on these, we offer some recommendations for social partners to consider. In setting these out we reiterate previous remarks about the small data set. Survey respondents provided very valuable data in a detailed survey, and with generous contributions of open text responses, however, the size of the data set is limited. There is no attempt to generalise from the data, and conclusions and recommendations are offered for others to reflect on rather than as authoritative statements.

The data confirms that higher education systems are particularly complex in relation to governance arrangements, and this then extends to social dialogue structures. Relationships between the centre and the institutional level can vary significantly, and understandable traditions of institutional autonomy add a further layer of complexity. Different types of institutions within the same national systems further adds more complication. One practical consequence of this is that blanket recommendations are likely to be even more inappropriate than is usually the case.

From the outset it must be stated that the picture of social dialogue presented in this study, from the survey and from analysing workshop content, is very uneven. There are undoubtedly instances where social dialogue works relatively well and social partners on both sides express relative satisfaction. However, there are clearly many instances where there are levels of frustration with current arrangements and there is much work needed to (re-)establish strong relationships and robust social dialogue structures. In areas where social dialogue is weak then trying to reconstruct it will require serious commitment from all those involved. There appears to be no room for complacency on these issues.

Social dialogue appears most robust in areas that might be identified as traditional industrial relations issues, even if the outcomes of these processes may still be a source of frustration for some social partners. There is evidence of the bargaining agenda being broadened to include a wider range of professional issues, however these do not represent the full range of Annex III issues, but rather include professional issues that have a significant 'contractual element', such as commitments to professional development. There seemed little interest, or appetite, to engage in issues relating to, for example, curriculum reform or student assessment issues, unless these issues had significant implications for workload or professional autonomy.

What emerged strongly from the findings was the need to understand all the 'levels' of the system where decisions are made, and to ensure there are social dialogue structures in place at all the levels where decisions are made. So-called 'professional issues', relating to curriculum and pedagogy, are more likely to be made at the institutional level, and it is not always clear that this is where social dialogue is taking place. In social dialogue terms there can be a strong impulse to favour national discussions so that agreements can be put in place that work in similar, and hence equitable, ways across all staff. However, the reality of higher education systems is that they are characterised by high levels of autonomy. This clearly varies across national contexts, but it appears to be a common feature, and in particular in relation to 'Annex III' type issues. Indeed, it is possible to go further and point out that many important decisions are made at different levels *within* institutions (for example at Department level) and it is not clear if social dialogue structures promote social dialogue at this level.

Given the above, we offer the following five recommendations for consideration by all those engaged in the governance of higher education systems and institutions.

1. Extend the bargaining agenda and identify the issues around which progress can be made.

Developing social dialogue to enhance quality teaching and learning requires social partners on both sides to be willing to extend the bargaining agenda and promote social dialogue on a range of issues that have not always been seen as traditional (or legitimate) social dialogue concerns. The 'Annex III agenda' requires social partners to extend the bargaining agenda into new territory.

2. Develop robust social dialogue structures necessary for engaging with the extended bargaining agenda. This requires ensuring social dialogue takes place at all the levels where decisions on the extended bargaining agenda are being made.

The research suggests that social dialogue is often weak and limited in form. Extending the bargaining agenda requires social dialogue structures capable of managing a wider range of social dialogue issues. Crucially, this requires the development of social dialogue at all organisational levels where decisions relating to teaching and learning are being made. The research in this report highlights that key decisions relating to teaching and learning are made at institutional level and social dialogue arrangements must reflect that. However, within institutions important decisions relating to teaching and learning are made at many levels and social dialogue needs to be built in to all appropriate levels.

3. Identify a strategy for extending the bargaining agenda based on a robust analysis of the current state of social dialogue, focusing on issues and activities that can offer progress.

Extending the bargaining agenda in the ways suggested by this project can only be developed by taking full account of context, and a transparent assessment of the current state of social dialogue in each setting. Extending the bargaining agenda is challenging in any situation, but most unlikely if current social dialogue arrangements are fragile and poorly developed. Progress must be based on an open assessment of the current position, and where there are difficulties, strategies need to be developed accordingly. In such cases work must focus on issues where progress is possible, relying on forms of social dialogue that can help build trust. For this purpose, the diagnostic tool presented in this report (see Appendix 3) may be helpful.

4. Develop organisational capacity

Effective social dialogue requires commitments from all sides, as well as resources and structures, and all these elements need to be in place for social dialogue to function effectively and make a positive contribution to outcomes. This requires investment from all parties, at all levels, but is especially needed at the institutional level where these issues are discussed.

5. Build networks of support and identify alliances

Change on a significant scale requires a collective effort and this requires alliances. These alliances can be most powerful when they involve social partners finding common ground and identifying ways to work together. On many issues, such alliances may not be possible. Social dialogue is, after all, a mechanism for seeking to resolve what are tensions based on competing interests. However, on many issues it may be possible to work with others (within and outside social dialogue relationships) and such alliances can help create momentum for change.

References:

Armstrong, K. A. (2012) EU social policy and the governance architecture of Europe 2020. *Transfer: European Review of Labour and Research*, 18 (3): 285-300.

Bach, S. and Bordogna, L. (2013) Reframing public service employment relations: The impact of economic crisis and the new EU economic governance. *European Journal of Industrial Relations*, 19 (4): 279-294.

Bologna Process (online) (n.d) European Higher Education Area and Bologna Process. Available online at <http://www.ehea.info> [accessed 15th April 2022].

Copeland, P. and M. Daly (2018) The European Semester and EU Social Policy. *JCMS: Journal of Common Market Studies*. 18 (3): 285–300.

Costamagna, F. (2013) *The European Semester in Action: Strengthening Economic Policy Coordination While Weakening the Social Dimension?* LPF-WEL Working Paper No. 5. Available at: SSRN: <https://ssrn.com/abstract=2367768> or <http://dx.doi.org/10.2139/ssrn.2367768>.

Council of the European Union (2021) *Resolution on a strategic framework for European Cooperation in education and training towards the European Education Area and Beyond 2021-2030*. Available online at <https://www.consilium.europa.eu/media/48584/st06289-re01-en21.pdf> [accessed 15th April 2022].

Crespy, A. and Schmidt, V. (2017) The EU's economic governance in 2016: beyond austerity? In B. Vanhercke, S. Sabato and D. Bouget (Eds). Available online at: <https://www.etui.org/Publications2/Books/Social-policy-in-the-European-Union-state-of-play-2017>.

Deem, R. (1998) 'New managerialism' and higher education: The management of performances and cultures in universities in the United Kingdom, *International Studies in Sociology of Education*, 8 (1): 47-70, DOI: [10.1080/0962021980020014](https://doi.org/10.1080/0962021980020014)

EHEA Rome (2020) *Rome Ministerial Communiqué 2020*. Available online at http://www.ehea.info/Upload/Rome_Ministerial_Communique.pdf [accessed 15th April 2022].

EHEA Rome (2020) *Rome Ministerial Communiqué 2020: Annex III* Available online at http://ehea.info/Upload/Rome_Ministerial_Communique_Annex_III.pdf [accessed 15th April 2022].

ETUCE (2016) Survey report on collegial governance and social dialogue in higher education and research. Brussels: ETUCE. Available online at <https://www.csee-etu.org/en/resources/publications/1494-survey-report-on-social-dialogue-and-collegial-governance-in-higher-education-and-research-2016> [accessed 15th April 2022].

Eurofound (2020), *Representativeness of the European social partner organisations: Education sector*, Sectoral social dialogue series, Dublin. Available online at <https://www.eurofound.europa.eu/publications/report/2020/representativeness-of-the-european-social-partner-organisations-education-sector> [accessed 15th April 2022].

European Commission (2016) A new start for social dialogue. Available online at <https://op.europa.eu/en/publication-detail/-/publication/eb9d76b4-9a82-11e6-9bca-01aa75ed71a1/language-en/format-PDF/source-search> [accessed 15th April 2022].

European Commission (2017) *The European Pillar of Social Rights*. Available online at https://ec.europa.eu/info/sites/default/files/social-summit-european-pillar-social-rights-booklet_en.pdf. [accessed 15th April 2022].

European Commission (2021) *The European Pillar of Social Rights Action Plan*. Available online at <https://op.europa.eu/webpub/empl/european-pillar-of-social-rights/en/>. [accessed 15th April 2022].

Graham, G. (2002) *Universities: The Recovery of an Idea*. Exeter: Imprint Academic.

Healey, M. (2005) Linking research and teaching: Exploring disciplinary spaces and the role of inquiry-based learning. In R. Barnett (ed) *Reshaping the University: New Relationships between Research, Scholarship and Teaching*. Maidenhead: Open University Press. pp. 67-78.

Hughes, M. (2005) The mythology of research and teaching relationships in universities, in R. Barnett (ed) *Reshaping the University: New Relationships between Research, Scholarship and Teaching*. Maidenhead: Open University Press. pp. 14-26.

Marginson, S. and M. van der Wende (2007), "Globalisation and Higher Education", *OECD Education Working Papers*, No. 8, OECD Publishing, Paris, <https://doi.org/10.1787/173831738240>.

Neary, M. and Winn, J. (2009) The Student as Producer: Reinventing the student experience in higher education. in L. Bell, H. Stevenson and M. Neary (eds) *The Future of Higher Education: Policy, Pedagogy and the Student Experience*. London: Continuum. pp. 126-138.

Shulman, L. S. (2004) *Teaching as Community Property: Essays on Higher Education*. San Francisco, CA: Jossey Bass.

Stevenson, H., Hagger-Vaughan, L., Milner, A. and Winchip, E. (2017) Education and training policy in the European Semester: Public investment, public policy, social dialogue and privatisation patterns across Europe. Brussels: ETUCE. Available online at <https://www.csee-etu.org/en/resources/publications/2042-education-and-training-policy-in-the-european-semester-public-investment-public-policy-social-dialogue-and-privatisation-patterns-across-europe-2017>

Stevenson, H. and Selechopolou, V. (2021) Strengthening the capacity of education employers in the European Semester. Brussels: EFEE. Available online at <https://educationemployers.eu/wp-content/uploads/2022/01/European-Semester-Full-Report-to-EFEE-171221-proofread.pdf> [accessed 15th April 2022].

Trow, M. (2007). Reflections on the transition from Elite to Mass to Universal access: Forms and phases of higher education in modern societies since WWII. In J.J. F Forest, and P. G. Altbach, (eds) *International Handbook of Higher Education*. Springer International Handbooks of Education, vol 18. Springer, Dordrecht. https://doi.org/10.1007/978-1-4020-4012-2_13 [accessed 15th April 2022].

Zeitlin, J. and Vanhercke, B. (2018) Socializing the European Semester: EU social and economic policy co-ordination in crisis and beyond. *Journal of European Public Policy*, 25: 149-174.

Appendix 1: The 'Annex III Agenda' – issues relating to the enhancement of teaching and learning in higher education, identified in the Rome Ministerial Communiqué 2020 (EHEA Rome, 2020)

The following issues are identified in Annex III of the Rome Communiqué, and so can be considered as potential issues for social dialogue.

Curriculum development

Equalities issues

Student assessment

Pay

Academic freedom/professional autonomy

Higher education policy reform

Innovation in teaching methods

Support for diverse learners

Digital learning (health and safety etc)

Funding

Open Educational Resources

Intellectual property

Continuous Professional Development

Evaluation of teaching

Contracts/precarious work

Digital learning (professional development)

Workloads

Professional Standards

Career Structure/Progression

Appendix 2: Survey respondents

Country	Organisation	Employer/Trade Union
Belgium	Secretariat Général de l'Enseignement (SeGEC)	Employer
Denmark	Dansk Magisterforening (DM)	Trade Union
Estonia	Academic Professionals Union of Tallinn University of Technology	Trade Union
Finland	Finnish Education Employers	Employer
Finland	Finnish Union of University Researchers and Teachers (FUURT)	Trade Union
Finland	Trade Union of Education in Finland (OAJ)	Trade Union
France	Not named	Trade Union
Germany	Gewerkschaft Erziehung und Wissenschaft (GEW)	Trade Union
Greece	Hellenic Association of Private Tutors (OEFE)	Employer
Hungary	Hungarian Rectors' Conference	Employer
Ireland	Irish Federation of University Teachers	Trade Union
Ireland	Teachers' Union of Ireland	Trade Union
Ireland	Education and Training Boards Ireland (ETBI)	Employer
Lithuania	LIZDA	Trade Union
Lithuania	Lithuanian Trade Union of Education and Science (LŠMPS)	Trade Union
Netherlands	Universities of the Netherlands (UNL-VSNU)	Employer
Netherlands	General Union for Education (AOB)	Trade Union
Norway	Union of Education Norway	Trade Union
Norway	Forskerforbundet (The Norwegian Association of Researchers)	Trade Union
Poland	Polish Union of Education	Employer
Portugal	Portuguese Association of Private Higher Education	Employer
Portugal	Federação Nacional dos Professores (FENPROF)	Trade Union
Portugal	National Confederation of Education and Training (CNEF)	Employer
Slovakia	The Trade Union of Workers in Education and Science of Slovakia	Trade Union
Spain	Central Sindical Independiente de Funcionarios. Sector de Enseñanza (CSIF)	Trade Union
Spain	Federación de Enseñanza (F.E. CC.OO)	Trade Union
United Kingdom	University and College Union	Trade Union

Appendix 3: Assessing social dialogue capacity: using the diagnostic tool

This diagnostic tool is a simple way to establish ‘readiness’ to engage in social dialogue relating to the issues raised in this report. It does not provide definitive answers but is intended to support self-reflection and generate constructive discussion.

Step 1: Participants are invited to consider five statements (A-E in Table 1 below), and then to ‘score’ their agreement with the statement with a value from ‘0’ (‘Agree with the statement completely’), through to ‘5’ (‘Disagree very strongly with the statement’). Each of the five statements correspond to an element in the R.A.L.O.R. framework presented in the main body of the report

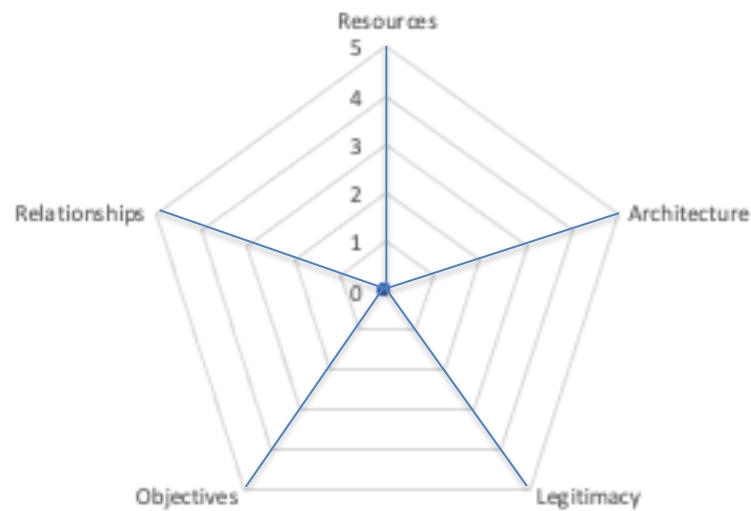
Table 1: R.A.L.O.R. statements

Statement	Score 0-5 0 = Agree with the statement completely 5 = Disagree very strongly with the statement
<p>Statement A: Resources Social partners have the organisational capacity (resources, personnel/time, capabilities) to engage in social dialogue that can support teaching and learning.</p>	
<p>Statement B: Architecture Robust social dialogue structures exist at all levels where decisions affecting teaching and learning are made and these structures have broad support from social partners.</p>	
<p>Statement C: Legitimacy Social partners consider issues relating to teaching and learning enhancement (the ‘Annex III agenda’) to be legitimate areas for social dialogue.</p>	
<p>Statement D: Objectives Social partners have a shared understanding about how to develop quality teaching and learning and are agreed on the priority issues required to bring about change.</p>	
<p>Statement E: Relationships Social partners have a strong track record of working collaboratively and there is a high level of trust between the parties involved in social dialogue.</p>	

Responses should reflect the assessment of the position from the perspective of the respondent’s organisation.

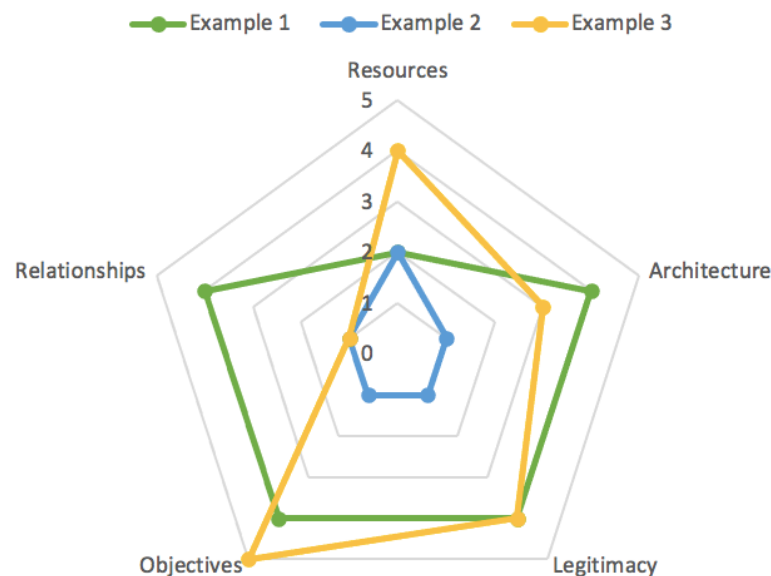
Step 2: Transfer the score for each statement on to the relevant axis on to the radar graph (Chart 1 below), and connect each point to form a 360° pattern. In Chart 1 the centre point = 0, and each 'ring' within the pentangle represents a score from 1 (inner) to 5 (outer).

Chart 1: The R.A.L.O.R. radar graph



The 360° pattern that results, in simple form, represents the 'readiness' of social partners to engage in social dialogue. Some examples are provided in Chart 2.

Chart 2: The R.A.L.O.R. radar with examples



Where the 360° pattern is closer to the external boundary of the graphic (Example 1 in green), then prospects for effective social dialogue are poor. Although the assessment of resources and capacity is promising, other scores suggest problems. Social partners will need to have discussions about what issues can realistically be addressed through social dialogue, and it may be necessary to consider what forms of social dialogue can help build the necessary trust and structures.

However, where the 360° pattern revolves close to the centre point (Example 2 in blue) there would appear to be a high degree of consonance, and prospects for effective social dialogue are promising. Where this is the case it may be possible to consider an ambitious agenda for social dialogue, including expanding the dialogue agenda to include issues that have not previously been the focus of dialogue.

In Example 3 (in yellow) the responses are more mixed, showing a range of strengths and weaknesses across the five elements. In these cases it is particularly important to analyse individual elements to understand the variations, and how the more difficult issues can be addressed.

Step 3: Analyse the results. Results: Results are clearly illustrative only. Different respondents in the same organisation will not score every item the same. As with all exercises of this type, the value of the process lies in the discussions it generates. This can be *within* a social partner organisation, or in some cases (where relationships are sufficiently robust), *between* social partners.

Trigger questions to aid analysis include:

1. What scores have been allocated against each of the five factors?
2. Are there differences between factors? Do all score roughly the same, or are there differences?
3. What is the significance of the scores? Why have some factors scored low or high (as appropriate)?
4. What are the implications of the scores? Are there obvious issues that need to be addressed?
5. What actions could help secure improvement in scores (especially those obviously problematic)?

Variation: this exercise can be further developed by focusing the process on a *specific issue*, and then scoring statements as per above. To do this, respondents can select an issue from Appendix 2 (the 'Annex III agenda') and proceed with the scoring process specifically for that issue. Of interest is whether some issues score significantly differently to others.

Example: 'Considering the issue of professional development, score these statements'